Karnataka High Court judgement on National Pharmaceutical Policy

3151. SHRI JIBON ROY: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that Karnataka High Court, in its judgement dated 12th November, 2002 has declared National Pharmaceutical Policy, 2002 arbitrary and violative of the Constitution and Essential Commodities Act; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI SUKHDEV SINGH DHINDSA): (a) and (b) The High Court of Karnataka in its judgement dated the 12th Nov., 2002 has found that the Pharmaceutical Policy—2002 is arbitrary and unreasonable and is violative of relevant provisions of the Essential Commodities Act, 1955 and Article 14 and 21 of the Constitution only to the extent of the price control mechanism adopted in the policy to determine drugs under price control. It has been decided to appeal against the judgement.

Demand of fertilizers

3152. SHRI RAJKUMAR DHOOT: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the total demand of fertilizers per annum and the quantity produced in India; and

(b) how the gap of supply due to closure of the Sindri and Durgapur units is proposed to be met?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI TAPAN SIKDAR): (a) The demand and production of fertilizers in nutrient terms during the years 2001-02 and 2002-03 is as under:

(Lakh Metric Tonnes)

Year	Nutrient	Demand	Production
2001-02	Nitrogen(N)	113.11	107.68
	Phosphate(P)	43.82	38.60
	Potash(K)	16.67	—
2002-03 (Estimated)	Nitrogen(N)	120.64	108.76
	Phosphate(P)	52.20	43.56
	Potash(K)	19.68	—

The entire requirement of potash (K) is met through imports of Muriate of Potash (MoP) in the absence of known commercially viable sources of production.

(b) India has achieved near self-sufficiency in urea production in the recent years. There was no import of urea in 2000-2001. However, India imported about 2 lakh MT during 2001-2002 to keep the pipeline stock at reasonable level. Again in 2002-2003, the country has not imported any urea so far despite the fact that there was no production from Sindri (closed since March 2002) and Durgapur (closed since July 1997) units. In view of the present indigenous production capacity, there will not be any impact in the over all availability of urea in the absence of production from Sindri and Durgapur plants.

Fertilizer production in HLL

3153. SHRI DIPANKAR MUKHERJEE: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Haldia unit of Hindustan Fertilizer Corporation is having an agreement with Hindustan Lever Limited, for utilizing the Ammonia storage facility of Haldia unit;

(b) if so, whether disruption of this facility on account of Government's decision to close down Haldia unit would affect and lead to closure of fertilizer production in HLL; and

(c) if so, the action taken by Government to defer VSS in Haldia unit, to ensure utilization of Ammonia storage plant of HFCL?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI TAPAN SIKDAR): (a) and (b) Yes, Sir, the agreement